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On March 25, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: Shirbon Barnes-Adler

#8
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OFFICE OF PETITIONS

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Theodore W. Watler and Jerry Hanley

Application No.: 09/911,868

Filed: July 23, 2001

For: Method And System For Data Rating
For Wireless Devices

Examiner:

Art Unit: 2681

NOTIFICATION OF POSSIBLE ERROR
IN SMALL ENTITY STATUS AND
PAYMENT OF LARGE ENTITY
DISCREPANCY UNDER 37 CFR §1.28(c)

March 25, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

03/30/2004 AWONDAF1 00000105 201430 09911868

01 FC:1001	770.00 DA
02 FC:1051	130.00 DA
03 FC:1201	258.00 DA
04 FC:1202	1926.00 DA

Sir:

U.S. Patent Application Serial No. 09/911,868 was filed on July 23, 2001 and claimed small entity status for some of its prosecution fees in good faith. The assignee of the above-referenced application, Telemac Corporation ("Telemac"), has significantly less than 500 employees and believes that it may well be entitled, both previously and presently, to claim small entity status. Nonetheless, since Telemac does not want any doubt about its claim to small entity status to affect the validity of its valuable patent rights, Telemac is hereby submitting the present Notification Of Possible Error In Small Entity Status pursuant to 37 C.F.R. §§ 1.28(c)(1) and (c)(2).

In compliance with the requirements of 37 C.F.R. § 1.28(c)(2), Telemac is submitting the following calculation and itemization of the discrepancy to be paid:

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ITEMIZATION AND CALCULATION OF POSSIBLE DEFICIENCY

DATE FILED	TYPE OF FEE	SMALL FEE ACTUALLY PAID	APPLICABLE LARGE ENTITY FEE	DISCREPANCY TO BE PAID
10/3/01	Application filing fee- Utility	\$355.00 ✓	\$770.00	\$415.00
10/3/01	Surcharge - Late filing fee or oath or declaration	\$65.00 ✓	\$130.00	\$65.00
12/10/01	107 extra claims in excess of 20	\$963.00	\$1,926.00	\$963.00
12/10/01	3 extra independent claims in excess of 3	\$126.00	\$258.00	\$132.00

TOTAL PAYMENT: \$1,575.00

In order to excuse any possible error in claiming small entity status for the above-referenced application, the undersigned hereby authorizes the Commissioner to deduct the total fees of \$1,575.00 from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account. A duplicate of this sheet is enclosed.

Telemac understands that, under 37 CFR §1.27(g)(2) and §1.28(d), this submission is treated as a notification of loss of small entity status.

If the U.S. Patent and Trademark Office believes a telephone conference would expedite processing of this Notification, please telephone the undersigned at (415) 576-0200.

Respectfully submitted,



Guy W. Chambers
Reg. No. 30,617

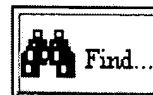
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Transaction List

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☐ Attny Docket No:

☐ Deposit Account No.:



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10/11/2001	MBELETE1	136	SALE	201	A	370.00	09911868	201430



Adjustment Detail

Authorization Detail



Adjustment date: 03/30/2004 AWONDAF1
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01 FC:201 370.00 CR
02 FC:205 65.00 CR

Adjustment date: 03/30/2004 AWONDAF1
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01 FC:203 963.00 CR
02 FC:202 126.00 CR